



Order Filed on November 30, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

CGG 19-025702
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WILMINGTON SAVINGS FUND
SOCIETY, FSB, AS TRUSTEE OF STANWICH
MORTGAGE LOAN TRUST I

In Re:

JENNIE A. TUMMINELLO,
DEBTOR

Case No.: 19-16297-CMG

Judge: HONORABLE CHRISTINE M.
GRAVELLE

Chapter: 13

**CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION OF
MODIFIED CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby ORDERED.

DATED: November 30, 2023


Honorable Christine M. Gravelle
United States Bankruptcy Judge

This matter being opened to the Court by Candyce Ilene Smith-Sklar, attorney for the Debtor, upon filing of a Modified Chapter 13 Plan, and Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust I, hereinafter "Secured Creditor," by and through its Authorized Agent, LOGS Legal Group LLP, upon the filing of an Objection to Confirmation of Modified Plan, and the parties having subsequently resolving their differences with regard to the Debtor's Modified Chapter 13 Plan; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and the Court having considered the parties' application for entry of this Consent Order, and for other good cause shown,

1. Debtor is the mortgagor, and Secured Creditor is the mortgagee, of an agreement secured by real property located at 213 Blaine Avenue, Seaside Heights, NJ 08751.
2. At the time of bankruptcy filing, Debtor owed Secured Creditor a pre-petition arrearage of \$31,745.41; as evidenced in Secured Creditor's Proof of Claim No. 8 filed on May 30, 2019.
3. Debtor also owes Secured Creditor a post-petition arrearage in the amount of \$6,776.43 that was to be paid in the Plan per the Order entered on November 16, 2022.
4. As of September 1, 2023, Debtor is also delinquent in post-petition payments for the months of June 1, 2023 through and including August 1, 2023, in the amount of \$2,258.81 each, and for the month of September 1, 2023, in the amount of \$2,156.15, less a suspense balance of \$316.00, for a total additional post-petition delinquency amount of \$8,616.58 owed to Secured Creditor as of September 1, 2023, as outlined in the Certification of Default filed by Secured Creditor on October 3, 2023, which said Certification of Default is scheduled to be heard by the Court on February 7, 2024, as set per the Judge at the hearing held on November 1, 2023.
5. Debtor will cure the pre-petition arrearage outlined in Paragraph two (2) above and the post-petition arrearages outlined in Paragraphs three (3) and four (4) above, and will *further pay off and satisfy the mortgage loan in full*, through sale of the real property located at 213 Blaine Avenue, Seaside Heights, NJ 08751, and will file a Motion to Sell and will complete the sale of the property by February 1, 2024.
6. Secured Creditor will provide to Debtor an updated payoff quote letter upon timely notice from the Debtor of a scheduled sale closing date.
7. If the property is not sold and closing is not completed and the loan not fully paid off by February 1, 2024, Debtor must: 1) modify the Chapter 13 Plan to surrender the subject property; or 2) Convert to a Chapter 7 case. *If the provisions of this paragraph are not complied with, the case may be dismissed upon motion of the Trustee, with notice to Debtor's Counsel and the Debtor.*
8. Secured Creditor agrees this Consent Order resolves the objection to Confirmation of Modified Plan filed on October 27, 2023; ECF Doc.:90.

9. This Consent Order is hereby incorporated into Debtor's Modified Chapter 13 Plan and any Order Modifying Confirmed Plan as may be entered by the Court.

We hereby consent to the form, content,
and entry of the within Order.

LOGS Legal Group LLP

/s/Elizabeth L. Wassall

Date: 11-30-2023

Elizabeth L. Wassall, Esquire
Attorneys for the Secured Creditor

Candye Ilene Smith-Sklar
Candye Ilene Smith-Sklar, Esquire
Attorney for the Debtor

Date: 11/28/23